

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>ROBERT SHURMAN</b>	:	
	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>vs.</b>	:	
	:	
<b>ELECTRONIC MANAGED</b>	:	<b>NO. 02-2956</b>
<b>ACCOUNT TECHNOLOGIES, INC.</b>	:	
	:	
<b>Defendant/Counterclaimant.</b>	:	

**ORDER**

**AND NOW**, this 26<sup>th</sup> day of August, 2002, upon consideration of the Motion of Defendants Electronic Managed Account Technologies, Inc., Leonard Reinhart, and Jay Whippel, III, to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6) and for Failure to Comply with Fed.R.Civ.P. 26 (Document No. 8, filed July 26, 2002), and Plaintiff's Response (Document No. 10, filed August 21, 2002), **IT IS ORDERED** that the Motion of Defendants Electronic Managed Account Technologies, Inc., Leonard Reinhart, and Jay Whippel, III, to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6) and for Failure to Comply with Fed.R.Civ.P.26 is **DENIED WITHOUT PREJUDICE** to defendants' right to address the issues raised in the Motion after completion of relevant discovery by motion for summary judgment and/or at trial.

**BY THE COURT:**

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**JAN E. DUBOIS, J.**